

REMARKS

Claims 1-30 and 38-60 are pending. Applicant has amended claims 1-4, 11, 26, 38, 47-48, and 55-56.

35 U.S.C. § 101

The Examiner rejected claims 11-25 under 35 U.S.C. § 101 indicating that no tangible result was produced. Applicant has amended these claims to recite "providing information about the selected product," and believes that these claims continue to recite a tangible result. Accordingly, applicant respectfully requests that this rejection be withdrawn.

35 U.S.C. § 102(e)

The Examiner rejected claims 1-6, 9-19, 22-30, and 38-60 under 35 U.S.C. § 102(e) over Rorex (U.S. Patent No. 6,876,997). Rorex describes a system directed to providing related search listings for use with paid search. In accordance with Rorex, a set of paid listings are identified as matching a search query. A set of related search listings are then selected from a database of related search listings based on the identified matching paid listings. Rorex then presents the user with search results that include the matching paid listings and the related search listings. Rorex does not describe locating information related to content using previously submitted queries.

With respect to claim 1, Rorex does not disclose a method as recited in Applicants' claims. The Examiner refers to Fig. 2 and col. 6, lines 21-28 as teaching "providing a plurality of queries submitted by users of a web site, each query having a popularity." Applicants respectfully disagree with this characterization of the prior art. Rorex teaches "a search request is received" via a web page. The process of Rorex, as detailed in FIG. 2, processes one search query. Further, Rorex does not teach each query having a

popularity. Rorex teaches, in col.6, lines 42- 50, a predetermined relationship between keywords, but does not teach a query having a popularity.

Further claim 1 recites "identifying previously submitted queries having words that match phrases on the web page." Rorex does not describe identifying previously submitted queries that match content. The Examiner refers to the related searches database described by Rorex, but the related searches database is built by examining the pay for placement database not by examining previously submitted queries: "a related search database is created using a pay for placement database." Rorex, col. 2:42-43.

Claim 1 still further recites "selecting an identified previously submitted query based on its popularity." This is not taught in Rorex. Rorex receives a search, but does not teach storing previously submitted queries or identifying a previously submitted query, and therefore does not teach selecting an identified previously submitted query.

The arguments provided above are applicable to applicant's independent claims as well as claims depending thereon. The prior art of record does not teach identifying a previously submitted query related to content. Claim 11 recites "identifying a previously submitted query from the plurality of previously submitted queries based on its relevance to the content and its popularity of submission." Claim 26 recites, "identifying a previously submitted query from the plurality of previously submitted queries that is related to the sent content." Claim 38 recites "a component that identifies previously submitted queries of the popularity-based query table that match the content." Claim 47 recites "identifying previously submitted queries of the popularity-based query table that match the received content." Claim 55 recites "means for identifying products that match the selected previously submitted query." Claim 56 recites "identifying a previously submitted query that matches the content." Therefore, claims 1-6, 9-19, 22-30, and 38-60 are patentable over Rorex. Accordingly, applicant respectfully requests withdrawal of this rejection.

35 U.S.C. § 103(a)

The Examiner has rejected claims 7-8 and 20-21 under 35 U.S.C. § 103(a) over Rorex in view of Barsness (U.S. Publication No. 2003/0028441). For the reasons given above, the Examiner has not established a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) Barsness, relied upon by the Examiner for describing web logs, also fails to describe any of the claim limitations not found in Rorex. In addition to the arguments provided above for claim 1, Barsness does not teach: storing a plurality of previously submitted queries ,,, each query having a popularity, identifying previously submitted queries that match content or selecting an identified previously submitted query based on its popularity. Therefore, no combination of the references relied upon by the Examiner teaches all of the claim limitations of claim 1. Similarly, there is no teaching of the limitations of independent claim 11 in Rorex or Barsness. Applicants respectfully request withdrawal of the rejection of claims 7-8 and 20-21, which depend on claims 1 and 11, respectively.

Conclusion

Based upon these remarks, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3265. Applicant believes all required fees are being paid in connection with this response. However, if an additional fee is due,

please charge our Deposit Account No. 50-0665, under Order No. 249768071US from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

J. Mason Boswell

Registration No.: 58,388

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorneys for Applicant